



PTO/SB/64 (10-01)

Approved for use through 10/31/2002 OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)
P-2040-US (SP2-US)First named inventor: **Israel SARUSSI**Application No.: **09/831,944**Art Unit: **3736**Filed: **December 12 . 2001**Examiner: **Eric Frank WINAKUR**Title: **A SENSOR FOR RADIANCE BASED DIAGNOSTICS**

Attention: Office of Petitions
Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231

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NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (703) 305-9282.

OFFICE OF PETITIONS

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

Small entity fee \$ 685 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

Other than small entity - fee \$ _____ (37 CFR 1.17(m))

2. Reply and/or fee**A. The reply and/or fee to the above-noted Office action in
the form of Response to Advisory Action**

(identify type of reply):

has been filed previously on _____
 is enclosed herewith.

B. The issue fee of \$ _____

has been paid previously on _____
 is enclosed herewith.

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Burden Hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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3 Terminal disclaimer with disclaimer fee

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

November 8, 2004

Date

Signature

Telephone
Number: _____

Israel SARUSSI

Typed or printed name

Address

Enclosures: Fee Payment Reply Terminal Disclaimer Form Additional sheets containing statements establishing unintentional delay Other _____ Cover letter "Petition under 37 CFR 1.137(b)"

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CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is being:

- deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231.
- transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

Date

Signature

Type or printed name of person signing certificate

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#15

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Israel SARUSSI

Examiner: Eric Frank WINAKUR

Appl. No.: 09/831,944

Group Art Unit: 3736

Filed: December 12, 2001

Attorney Docket No.: p-2040-us (SP2-US)

Title: A SENSOR FOR RADIANCE BASED DIAGNOSTICS

November 8, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION under 37 CFR 1.137(b)

Sir:

A Petition to Revive under 37 CFR 1.137(b) is enclosed signed in accordance with 37 CFR 1.33(b).

We respectfully request that the Petition to Revive under 37 CFR 1.137(b) be allowed.

Respectfully submitted,

Customer No 35650
Henry Sinai
IP-Partnership
PO Box 669
Raanana 43350, Israel
Email: hsinai@ip-partnership.com
FAX (USA ONLY) 800-243-2384

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